



DT Rec'd PCT/PTO 14 OCT 2004

Attorney Docket No. 032013-103

Patent

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Suzy Charbit et al.

Application No.: 10/507,485

Group Art Unit: Unassigned

Filing Date: September 13, 2004

Examiner: Unassigned

Title: ENANTIOMER (-) OF TENATOPRAZOLE AND THE THERAPEUTIC USE THEREOF

Confirmation No.: Unassigned

FIRST  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Enclosed is a **FIRST** Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- No additional fee for submission of an IDS is required.
- The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
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By Melissa M. Hayworth  
Melissa M. Hayworth  
Registration No. 45,774

Date: October 14, 2004



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
Suzy Charbit et al. )  
Application No.: 10/507,485 ) Group Art Unit: Unassigned  
Filed: September 13, 2004 ) Examiner: Unassigned  
For: ENANTIOMER (-) OF ) Confirmation No.: Unassigned  
TENATOPRAZOLE AND THE )  
THERAPEUTIC USE THEREOF )

**FIRST INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required. One of the documents submitted was cited in an International Search Report dated May 19, 2004.

**FIRST** Information Disclosure Statement

Application No. 10/507,485

Attorney's Docket No. 032013-103

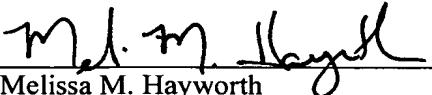
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To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date October 14, 2004

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Substitute for form 1449A/PTO & 1449B/PTO

FIRST OCT 14 2004

**FIRST  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Sheet 1 of 1

**Complete if Known**

<b>Application Number</b>	10/507,485
<b>Filing Date</b>	September 13, 2004
<b>First Named Inventor</b>	Suzy Charbit et al.
<b>Examiner Name</b>	Unassigned
<b>Attorney Docket Number</b>	032013-103

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

## NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	International Search Report issued in Application No. PCT/FR03/03746, dated May 19, 2004
	JEDEDIAH BATEMAN et al., "Comparison of Pharmacokinetic Properties of Omeprazole and Esomeprazole", Pharmaceutics 1 (PSCI 423), April 4, 2002
	"Esomeprazole – Proton Pump Inhibitors Revisited", RGH Pharmacy E-Bulletin, Volume 10 (7): June 16, 2003

**Examiner Signature** \_\_\_\_\_ **Date Considered** \_\_\_\_\_

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.